

overcome and if the claims are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Please cancel 49 and amend Claims 44, 46, 48, 50-54, and 59 so they read as follows:

H1
44. A food comprising a mixture of cocoa polyphenols as a food additive, the cocoa polyphenol mixture comprising catechin, epicatechin, and cocoa procyanidin oligomers thereof and being prepared by reducing cocoa beans to a cocoa powder, defatting the cocoa powder, and extracting the cocoa polyphenols from the cocoa powder.

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46. The food of Claim 44, wherein the procyanidin oligomers are selected from the group consisting of dimers through dodecamers.

H3
48. The food of Claim 47, wherein two or more of the cocoa fractions are pooled.

50. The food of Claim 59, wherein the freeze dried cocoa beans are unfermented cocoa beans.

51. The food of Claim 59, wherein the freeze dried cocoa beans are partially fermented cocoa beans.

52. The food of Claim 59, wherein the freeze dried cocoa beans are fermented cocoa beans.

53. The food of Claim 44, wherein the extracting is carried out with acetone and water, methanol and water, or ethyl acetate.

54. The food of Claim 44, wherein the cocoa extract is partially purified by gel permeation chromatography and/or high pressure liquid chromatography.

59. The food of Claim 44, wherein reducing the cocoa beans to the cocoa powder comprises the steps of freeze drying the cocoa beans and pulp, depulping the freeze dried cocoa mass, dehulling the freeze dried cocoa beans, and grinding the dehulled cocoa beans.